

**REMARKS**

Claims 1, 3, 5 and 7 are pending in this application. By this Amendment, claims 1, 3 and 7 are amended, and claims 2, 4 and 6 are canceled. In particular, the features of claims 2, 4 and 6 have been placed into independent claim 1. Claim 1 also has been amended to change "each of which is provided" to "all of which are provided" to further emphasize that all of the referenced friction plates are provided stationarily to their corresponding housing or internal gear. Claim 3 is amended to depend from claim 1, and claim 7 is amended to overcome the 35 U.S.C. §112, second paragraph rejection. The amendment to claim 7 is clearly supported, for example, in Fig. 3 and the description at page 8, lines 14-16. Thus, no new matter is added by the above amendments.

These amendments should be entered after final rejection because they place this application in even better condition for allowance, or at least better condition for appeal, and they do not raise any new issues requiring further search.

Claim 7 stands rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

The Office Action objects to the word "caulking." That word has been changed to "pressing" in order to overcome the rejection. One meaning of "caulk" is "to press." As is clear from Fig. 3 and its corresponding description, as well as claim 7, the portion 81c presses against the adjacent structure. Withdrawal of the rejection is requested.

Claims 1, 2 and 4-6 stand rejected under 35 U.S.C. §102(b) over U.S. Patent No. 4,635,489 to Imamura et al. In addition, claims 3 and 7 stand rejected under 35 U.S.C. §103(a) over Imamura et al. These rejections are respectfully traversed.

Imamura et al. does not disclose or suggest the combination of features recited in independent claim 1. In particular, Imamura et al. does not disclose or suggest an arrangement in which all of the plurality of first friction plates are provided stationarily to the

housing, and all of the plurality of second friction plates are provided stationarily to the internal gear. As describe in Applicants' specification, all of the first friction plates 82 are fixed to the housing 10, and all of the second friction plates 83 are fixed to the internal gear 42. This configuration enables the provision of a smaller sized starter capable of outputting a high torque. See Applicants' specification at, for example, page 2, lines 12-21 and page 11, line 30 - page 12, line 25.

At page 3, lines 7-10 of the Final Office Action, it is asserted that Imamura et al. discloses "a shock absorbing device (fig. 13-14) comprising a plurality of first friction plates 24, 26 each of which is provided stationarily to said housing 3 and 5 and a plurality of second friction plates 23, 25 each of which is provided stationarily to said internal gear (on inner surface of 19), and receiving a torque transmitted from said internal gear...." The Office Action also states on page 5 that "Nowhere does Imamura state that the friction plates are free to rotate as applicant states he does. Imamura states that there is clearance between the outer peripheries of the plates and the inner periphery of the gear (C5/L57-62). This does not mean that the plates are free to rotate, it only means that the plates do not come in direct contact with the gear."

Applicants respectfully submit that the Office Action misunderstands Imamura et al. The friction plate 24 of Imamura et al. is not provided stationarily to the housing 15 and the yoke 3, and the friction plate 23 of Imamura et al. is not provided stationarily to the internal gear 19. The friction plate 24 rotates relative to the housing 15 and the yoke 3, and the friction plate 23 rotates relative to the internal gear 19. The Examiner is directed to col. 7, lines 39-58 of Imamura et al. which states:

However, in the event that a torque higher than the predetermined value is applied when the pinion 34 is brought into meshing engagement with the ring gear 35, such as when the rotating pinion 34 is again brought into meshing engagement with the ring gear 35 to thereby produce an

overload condition, the rotary torque is transmitted to the rotary disc 25 through the pinion 34, planetary gears and internal gear 19, and then a slip is caused to take place between the first friction plate 23 and the disk-shaped portion 20b of the center bracket 20, between the first friction plate 23 and rotary disc 25, between the second friction plate 24 and rotary disc 25 and/or between the second friction plate 24 and stationary disk 26, thereby causing the rotary disc 25 to rotate. This allows the internal gear 19, which has been prevented from rotating by the rotary disc 25, to be rotated by the rotary disc 25. Thus, a torque higher than the predetermined value is prevented from being applied to a rotation transmitting path from the armature 5 to the pinion 34.

Accordingly, second friction plate 24 of Imamura et al. rotates freely and is not fixed, and first friction plate 23 rotates freely and is not fixed. Thus, Imamura et al. does not disclose or suggest an arrangement in which all of a plurality of first friction plates are provided stationarily to the housing, and all of the plurality of second friction plates are provided stationarily to the internal gear, as recited in independent claim 1. Independent claim 1 and its dependent claims are patentable over Imamura et al. Withdrawal of the rejections is requested.

In view of the foregoing, Applicants respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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